

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 L-03 H-02 SS-15 NSC-05

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DRAFTED BY EB/AN:AJRIMAS:DAP

APPROVED BY EB/AN:WBCOBB

ARA/BR - J. SLATTERY

CAB - C. COLDREN

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R 172201Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

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E.O. 11652:N/A

TAGS: EAIR, BR

SUBJECT: CIVAIR: CONGONHAS PROBLEM

REF: A) BRASILIA 4711; B) STATE 131611

1. DEPARTMENT APPRECIATES ANALYSIS CONTAINED REFTEL A. WE WILL AWAIT FURTHER DETAILED COMMENT TO REFTEL B PROMISED PARA 12 REFTEL A BEFORE MAKING ANY RECOMMENDATION THAT VARIG BE REQUIRED FILE ITS SCHEDULES. DEPARTMENT REMAINS DISPOSED, HOWEVER, TO IMPOSE SCHEDULE FILING REQUIREMENT AT EARLY DATE AND TO COUPLE THIS WITH REQUEST FOR CONSULTATIONS.

2. WHILE TAKING INTO ACCOUNT POINTS MADE BY EMBASSY, DEPARTMENT NOTES THAT STATUS QUO FAVORS BRAZILIANS SINCE
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VARIG CONTINUES TO OPERATE INTO CONGONHAS AND PAN AM REMAINS

EXCLUDED. UNLESS GREATER PRESSURE IS EXERTED TO RECTIFY SITUATION, BRAZILIANS LIKELY CONTINUE TO DELAY SETTLEMENT FURTHER. PROPOSED SCHEDULE FILING SHOULD NOT BE INTERPRETED NECESSARILY AS A THREAT BUT AS AN ADMINISTRATIVE MEASURE DESIGNED TO CONFIRM THE SERIOUSNESS WITH WHICH WE VIEW SITUATION. IT WOULD ALSO BE A MEANS TO SIGNAL THAT WE ARE SEEKING EQUIVALENT DEGREE OF CONTROL OVER VARIG'S

SCHEDULES TO THAT HELD BY GOB OVER PAN AMERICAN. VARIG'S ACTUAL OPERATIONS WOULD NOT BE AFFECTED BY PART 213 ACTION AT THIS TIME.

3. DEPARTMENT ALSO INCLINED TO PROPOSE EARLY CONSULTATIONS IN EVENT EXPECTED NEGATIVE RESPONSE TO NOTE. WE DO NOT ACCEPT CALDAS SANTOS' ASSESSMENT THAT NEGOTIATIONS WOULD BE NECESSARILY INCONCLUSIVE (PARA 4 REFTTEL A), NOR CAN WE EXPECT THAT CONGONHAS PROBLEM WOULD BE NECESSARILY RESOLVED BY BRAZILIANS BEFORE CONSULTATIONS PROCEDURES COULD BE WORKED OUT. HIS COMMENTS MAY WELL HAVE BEEN MOTIVATED BY TACTICAL CONSIDERATIONS TO GAIN ADDITIONAL TIME. ANY DELAY IS TO DISADVANTAGE OF US AVIATION INTERESTS.

4. LONGSTANDING US AVIATION POLICY IS TO AVOID DRAWING LINKAGES BETWEEN CIVIL AIR MATTERS AND OTHER ISSUES AND WE WOULD NOT WISH TO CHANGE THIS POLICY IN CASE OF BRAZIL. HOWEVER, DEPARTMENT WILL GIVE FULL CONSIDERATION TO EMBASSY VIEWS RE CIVIL AIR - NUCLEAR CONNECTION. KISSINGER

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